

Application No. 10/055708
Page 7

Amendment
Attorney Docket No. M55.2B-10353-US01

Remarks

This Amendment is in response to the Office Action dated **March 30, 2004**. Claims 1 – 17 are pending in this application. The Office Action objected to the drawings; rejected claims 1, 8, 13, 17 and 18 under 35 USC § 102 over Rabska (US 5323756); and rejected claims 5 – 7, 9, 11, 12 and 14 – 16 under 35 USC § 103 over Rabska. The Office Action further objected to claims 2 – 4 and 10 as being dependent upon a rejected base claim.

By this Amendment, claims 1 and 17 are amended and claims 2 and 10 are rewritten in independent form. Figure 2 is amended and Figure 4 is added to obviate the Office Action's objections, and the specification is amended accordingly. No new matter has been added. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Allowable Subject Matter

Applicants gratefully acknowledge the Office Action's indication of allowable subject matter in claims 2 – 4 and 10. Claims 2 and 10 have been rewritten in independent form.

However, for the reasons set forth below, Applicant respectfully asserts that all of the claims are directed to allowable subject matter and that the application is in condition for allowance.

Drawings

The Office Action objects to the drawings for not showing claimed subject matter. Amended Figure 2 and new Figure 4 are submitted herewith. Figure 2 now shows a vibration absorbing material layer 50 or shock absorbing layer as recited in claim 4. New Figure 4 shows a bow schematic, which may represent any type of bow included in the application, including a crossbow as recited in claim 12 and a recurve bow as recited in claim 13. New Figure 4 also shows the support glued to the limb, as recited in claim 8.

Accordingly, Applicant respectfully requests withdrawal of the objection to the drawings.

Claim Rejections

The Office Action rejects, under 35 USC § 102, claims 1, 8, 13, 17 and 18 over

Application No. 10/055708
Page 8

Amendment
Attorney Docket No. M55.2B-10353-US01

Rabska.

The Office Action also rejects, under 35 USC § 103, claims 5 – 7, 9, 11, 12 and 14 – 16 over Rabska.

Independent claims 1 and 17 have been amended. Support for these amendments may be found in the specification at least at page 4, lines 17 – 19.

Applicant asserts that Rabska does not disclose or suggest a vibration and noise suppressor that “contacts the bowstring when the bowstring is in a rest position”, as recited in independent claim 1 and similarly recited in independent claim 17.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference” (MPEP §2131, citing *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)).

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the reference or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings to produce the claimed invention. Second, there must be a reasonable expectation of success. Finally, the prior art references, when combined, must teach or suggest all of the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant’s disclosure (MPEP 2142). The prior art must suggest the desirability of the claimed invention (MPEP 2143.01).

Rabska discloses bowstring accelerator blocks 20 mounted to the bow limbs (see Figure 1A). During the forward motion of the bowstring, the bowstring contacts the accelerator blocks, thus shortening the effective length of the bowstring and propelling the arrow forward with increased velocity (see column 2, lines 23 – 29).

As shown in Figure 1A, when the Rabska bowstring is in a rest position, the accelerator blocks do not contact the bowstring as required by claims 1 and 17.

Therefore, Applicant respectfully submits that independent claims 1 and 17 are not unpatentable over Rabska. Claims 5 – 9 and 11 – 16 depend from independent claim 1 and claim 18 depends from independent claim 17. These dependent claims are not unpatentable for at least the reasons discussed with respect to independent claims 1 and 17. Accordingly,

Application No. 10/055708
Page 9

Amendment
Attorney Docket No. M55.2B-10353-US01

Applicant respectfully requests the withdrawal of the rejections under 35 USC § 102 and 35 USC § 103.

Conclusion

Based on at least the foregoing amendments and remarks, Applicant respectfully submits this application is in condition for allowance. Favorable consideration and prompt allowance of claims 1 – 18 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: June 30, 2004

By: _____


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